

Board of Mayor and Aldermen
Regular Meeting, Nolensville Elementary School
Thursday, July 7, 2005, 7:00 p.m.

Mayor Charles Knapper opened the meeting at 7:01 p.m. Members present were Mayor Knapper, Aldermen Jimmy Alexander, Joe Curtsinger, Tommy Dugger, and Larry Felts. Counsel Robert Notestine, Town Planner Henry Laird, Town Engineer Rich Woodroof and Recorder Cindy Lancaster. There were 24 citizens present.

Mr. Willis Wells led the prayer and pledge.

Mayor Knapper ask the board for permission to change the agenda order noting that Mr. Gary Buchanan was in the audience to talk to the board about the upcoming Williamson County Fair. The board agreed and Mayor Knapper then turned the floor over to Mr. Buchanan. Mr. Buchanan addressed the board and the audience noting the fair would be held at the Ag Expo Center beginning August 5. He noted this is the first fair in fifty years and encouraged everyone to participate and the board to attend as ambassadors of the fair.

Mayor Knapper then asked if there were any citizens that had comments.

Mr. Jim Lisch, stated that he had a concern about the dangers of fireworks within the subdivision. He stated that fireworks landed on the roof of his neighbor's house and ask the board to place some restraints on the firing of fireworks. He noted the litter from the remnants of the fireworks is unsightly. They are left in the road and in yards.

There was no further citizen input.

Alderman Dugger made a motion to approve the minutes from June 2, 2005, Alderman Alexander seconded. Mayor Knapper reflected a couple of points from the minutes. He noted that in regards to Mr. Behar statements there would be a workshop to discuss his concerns further. Also, there was a suggestion to display the ordinances and resolutions that the board has before them. The items have been displayed for the audience review. The minutes were approved unanimously.

Alderman Felts made a motion to approve the treasurer's report, Alderman Curtsinger seconded. Recorder Lancaster noted that the cash on hand for the General Fund was \$728,143.08, with cash disbursements being \$55,000. State Street Aid cash on hand was \$63,247.50 with total cash on hand being \$791,390.58. Recorder Lancaster noted that these figures end the fiscal year as of June 30, 2005. The treasurer's report was unanimously approved.

Mr. Willis Wells Planning Commission Member reported the following:

- Major Thorough Fare Plan was reviewed.
- The car wash was approved.
- Several changes were discussed and approved for the zoning ordinance. These changes are before the board this evening.
- Kiosks and auto sales were addressed.
- Property past the cemetery was discussed.
- Bond report was accepted.
- Interior parking was discussed.

Betty Friedlander reported for the Historic Commission:

- Certificates of Appropriateness were issued at the last meeting
- She is over the arts and crafts booth at the Williamson County Fair and encouraged everyone to participate and volunteer.

Chief Presley Hughes reported for the Nolensville Volunteer Fire Department.

- Distributed annual report.
- Noted increase in calls within Nolensville city limits.
- Added two more people.
- Have received the new pumper truck.
- In Ballenger Farm & Bent Creek – we are having a terrible time with parking. If there were an emergency it would be difficult to get an emergency vehicle in the subdivision.
- The NFPA recommended that sprinklers be in all residential structures. This may need to be addressed because you adopted the life safety code. He noted the town may be in violation.

Alderman Dugger noted that when he attended the TML Conference the fire section noted that Chiefs could attend conferences in the fall to lower the ISO rating. He asked the Chief if he attended these conferences and if he would be attending this fall. Chief Hughes stated he has not attended and that we cannot qualify for an ISO reduction because there are equipment requirements. Alderman Dugger encouraged the Chief to attend.

Rich Woodroof, Town Engineer/Codes Official reported for the Codes Department.

- 177 inspections were performed.
- 14 residential permits issued.
- 12 mechanical/13 plumbing permits.
- Rocky Fork Road has been paved.

Alderman Curtsinger noted that trucks continue to go through roads that construction vehicles should not. Mr. Woodroof stated that Michael has spoken to the contractors and Officer Baynham has approached several to try to correct this problem. He noted that if vehicles are parked improperly throughout the subdivision, we are not issuing certificates of occupancy until the vehicles are moved.

Mayor Knapper reported for the Police Department.

- Stated a written report was submitted.

Mayor Knapper reported for the Public Works

- Stated a written report was submitted.

Mayor Knapper's report:

Mayor Knapper noted that the appraisals were received and the board has received a copy. Mayor Knapper noted that Mr. Kelley provided a lease extension. Counsel

Notestine stated that he had reviewed this lease and it is an extension, with a 90-day termination written notice clause. The town can give written notice 90 days prior to termination. Mayor Knapper stated that he would make a motion to extend this lease with the 90-day termination. He noted the appraisal is lower than the asking price; the appraisal was for \$282,000, with the asking price being \$375,000. Additionally, not one person on the committee had the benefit of being in Nolensville when discussion of the town hall location was conversed. He noted he was to blame. Also, the Mayor noted that the Elementary School has been offered as a possible city hall site. He stated that he has received information from Becky Schwab, School Superintendent, that this school will become available in 2007. With these factors in mind he stated that he would like to make a recommendation to enter into this agreement. There has also been an offer to donate some land for a city hall. Alderman Dugger stated that at this point in time this would be the way to go. With the appraisal coming in considerably lower than the asking price. Alderman Felts stated that the school would be a good location to have city hall. In the past a senior citizen location was discussed and this building has potential to house various organizations. Alderman Curtsinger noted that he felt that this was not a good appraisal. His concern is signing a 5-year lease and the housing of any further employees at the current location. Mayor Knapper stated that the office he currently has could be divided, in addition to the conference room in the back. Mayor Knapper agreed we are short on space, but the school is the ideal place for town hall. Alderman Curtsinger said that he was not comfortable agreeing to a lease that he has not reviewed. Alderman Alexander stated that he doesn't have a problem with the lease, but he did agree with Alderman Curtsinger. Alderman Dugger said that this could be placed on the agenda next month.

Counsel Notestine stated that the Annexation trial has been postponed. Next Tuesday there will be a status review. He has heard that two individuals have asked to be withdrawn from the case.

Public hearing for Ordinance 05-13, an ordinance to amend zoning ordinance 04-09 in regards to review standards opened. Counsel Notestine noted that there would be three public hearings this evening in regards to changing the zoning ordinance. He went through the process of zoning ordinance amendments. He noted that the majority of these were typographical and housekeeping issues. This deals with the Board of Zoning Appeals. He noted that our standards are higher than state law requirements. This is changing some of the wording to make the Board of Zoning job a little easier.

There was no public comment. Public hearing was closed.

Public hearing for Ordinance 05-14, an ordinance to amend ordinance 04-09 in regards to underground utilities opened. Counsel Notestine described this ordinance briefly. He noted that Town Planner Henry Laird worked on this ordinance.

There was no public comment. Public hearing was closed.

Public hearing for Ordinance 05-15, an ordinance to amend the zoning map from Suburban Residential (SR) to Commercial Service (CS) was opened. Rich Woodroof showed this property on a map. Counsel Notestine noted that this is rezoning this piece of property.

Mr. Larry Gardner asked if the Commercial Overlay would be applied. Mayor Knapper stated that the overlay would apply.

With no further public comment, the public hearing was closed.

First reading of ordinance 05-16 an ordinance to amend the zoning ordinance 04-09 in regards to Urban Residential zoning district in order to improve upon the objectives of this district. Counsel Notestine noted that this is first reading of this ordinance. He noted that Town Planner Henry Laird worked extensively on this ordinance. Mr. Laird described this ordinance in length. It was noted that this would delete PUDS from the UR zone. Mayor Knapper noted that this is Mr. Alexander's ordinance. He worked hard on this ordinance and should obtain the credit for this ordinance. Alderman Alexander made a motion to approve this ordinance with the changes that were submitted in written form, Alderman Curtsinger seconded this motion. Alderman Alexander stated that he had made minor changes. These changes will give this board more flexibility in the decision making process. Mayor Knapper obtained clarification, in addition to Alderman Felts to various changes. Alderman Felts noted that 6,000 square feet was rather small for a lot size and would like to see this increased. He also had a concern about condominiums and apartment complexes. Alderman Alexander stated that with this ordinance the board would be able to make the calls. There was extensive discussion by the board on this ordinance. The board passed this ordinance on first reading with Mayor Knapper, Aldermen Alexander and Curtsinger for, Alderman Dugger and Felts against.

First reading of Ordinance 05-17 an ordinance to amend the zoning map of Nolensville to rezone property currently Village (V) to Village Fringe (VF). Counsel Notestine noted that this is a house-cleaning ordinance. He noted that this would change approximately five pieces of property to Village Fringe. Engineer Woodroof noted that this was recommended by the Planning Commission some time ago. Alderman Dugger made a motion to approve, Alderman Felts seconded. This ordinance passed on first reading unanimously by the board.

First reading of Ordinance 05-18, an ordinance to amend the zoning ordinance 04-09 in regards to the treatment of automotive and other vehicular sales. Counsel Notestine noted that this ordinance defines automotive and vehicle sales and where they can be located. Planner Laird described this ordinance briefly. Engineer Woodroof noted that currently the zoning ordinance does not address auto sales and this places it into a zoning. Alderman Curtsinger made a motion to pass this ordinance on first reading, Alderman Felts seconded. Alderman Alexander noted that he did not want to see Nolensville to look like the Nolensville Road that is in Davidson County. His concern was the various auto sales side-by-side. He asked Counsel Notestine for an opinion in regards to a maximum distance between two car lots. Counsel Notestine stated that this issue would need to be researched for distance allowances. Alderman Dugger stated that the two-acreage requirement should be usable land and not majority being in the flood zone. After extensive discussion this ordinance passed unanimously on first reading.

First reading of Ordinance 05-19, an ordinance to amend the zoning ordinance 04-09 in regards to the regulation of food service stands. Counsel Notestine stated that this seems to be a good defined ordinance that addresses food service stands. There was extensive discussion on festivals that allow food stands. It was noted that festivals are required to obtain permits. Counsel Notestine recommended that a temporary permit be issued by the town to include permission from the owner of the temporary festival. Alderman Dugger made a motion to approve, Alderman Curtsinger seconded and this passed unanimously on first reading.

First reading of Ordinance 05-20, an ordinance to amend the zoning ordinance 04-09 in

regards to delineating interior parking in Appendix B, and landscaping, buffering and tree protection. Counsel Notestine noted that this is a clean-up ordinance. Town Planner noted that if parking is not on a site plan we are going to presume that parking is going to be in a certain area. It states that the parking area would be deemed to start 40 feet inside the perimeter area and curbing. Engineer Woodroof stated that the zoning ordinance is currently vague and this defines the parking. Mayor Knapper made a motion to approve this ordinance on first reading, Alderman Alexander seconded and this passed on first reading unanimously.

It was noted that the agenda addendum was for second reading of ordinance 05-11, an ordinance to amend zoning ordinance #04-09, in regards to general terms, collector road issues, setbacks and general access. Counsel Notestine noted that this passed on first reading and there has been a public hearing on this ordinance. This ordinance defined major and minor collector roads and deletes open space developments. Alderman Alexander made a motion to approve this on second reading, Alderman Dugger seconded. This ordinance passed on second reading unanimously.

Mayor Knapper noted that the next item of discussion was a Code of Ethics. He noted that Alderman Felts wanted to address a Code of Ethics for the board. Mayor Knapper noted that excerpts had been taken from various Code of Ethics and distributed to the board for their review and made their comments accordingly. Mayor Knapper noted that the board could have a workshop with attorney-client privilege if the board wishes to discuss this further. He noted it is the will of the board. Mayor Knapper then turned the floor to Alderman Felts.

Alderman Felts noted there is some redundancy, but after review he agreed with all of the points. Alderman Felts stated that he would like to set up a workshop to discuss this further. Alderman Felts noted that he had requested to talk to the sheriff about comments being made in the loss of a grant. He stated that the sheriff told him this was not true.

Alderman Dugger asked if the Public Works department could remove the grass that is growing between the curb and the pavement. Over a period of time this will ruin the pavement.

Alderman Felts noted that Representative Casada contacted him and everything is on go with the signs for Joe Rossi. Currently Representative Casada is waiting for dialogue between the town and TDOT. To his knowledge this has not been done. Recorder Lancaster stated that Don Swartz is working on this issue.

Mayor Knapper noted that the town is currently reviewing a speaker system that will have microphones, podium and recorder.

Mayor Knapper adjourned the meeting at 8:45 p.m.

Respectfully submitted,

Cindy Lancaster
Town Recorder

Approved,

Charles F. Knapper
Mayor